

# IT IS BLOOD

WILLIAMSON'S RED PAINT TURNS OUT TO BE GORE.

WILLISTON SAYS SO

MAN LIKE DEFENDANT SEEN LEAVING THE FATAL ALLEY.

HAS AN EXCUSE FOR EVERYTHING

WILLIAMSON TAKES THE STAND AND BEGINS TO EXPLAIN.

He Tells a Plausible Story in a Cool Manner—Shows His Finger to the Jury—Day in Detail.

Blood was proven to be in Marion Williamson's clothes, in the district court yesterday. That was the chief feature of the interesting murder trial wherein the state of Kansas is plaintiff and F. Marion Williamson is defendant.

The chief feature today will be the cross examination of the defendant by the county attorney.

If the story told yesterday on the stand by Williamson, in his own behalf, is not broken down to some extent it is pretty hard to tell what the result will be.

The state has secured a terrible chain of evidence against Williamson and when it was all in at noon yesterday no one saw a ray of hope for the defendant.

The state had then against him the story of Michael Jordan from the soldier's home that Williamson approached him with the details of a proposition to kill Leonard. There was hardly a man to kill Leonard. There was hardly a man to kill Leonard.

Then there was the fact of Williamson being out with Leonard's wife, in a secluded spot, a few hours before the murder reading the insurance policy on Leonard's life. There, and in that fact, was the great motive for murder. Charles Ferguson swore that he saw a man of the size and build of Williamson rushing out of the alley where the body was afterwards found at the time or shortly after the murder was supposed to have been committed.

Connected with that was the corroborative testimony of Wells Miller about seeing a heavy, short winded man come out of the alley about the same time, follow him around to the murdered man's house, walk around the premises and again dive into the alley that had been found next morning with a trail of human blood. On top of all this was the convincing and unimpeachable evidence of Professor Williamson of the state university that the stains found on Williamson's clothing the day after the murder were stains and blotches of blood.

It would be impossible even in fiction for a man to present a stranger murder case than County Attorney Davis had at the close of his evidence.

Williamson then went on the stand and coolly told a story, whether true or false, that almost explained all the strong evidence of the state in a plausible way and manner. He left nothing untouched but the story of conspiracy told by Michael Jordan on the stand day before yesterday and this he refuted by swearing that he was in the soldier's home part of one day during the month of January and that at a period anterior to the time alleged by Jordan to have heard Williamson explain the plans and details of the contemplated murder.

Much will depend on the cross examination of Williamson today.

The court room was filled to its utmost capacity again and the interest manifested had materially increased. The finest order was maintained throughout and the case progressed so nicely that there was not a single objection discussed or law book opened. There were only two five minute recesses during the entire day outside of the general noon recess.

It is possible that the case can be given to the jury tonight although not probable.

OTHER EVIDENCE.

The examination of Chief Burrows was continued from the previous night. His evidence was exactly the same as was published in the Eagle in connection with the coroner's inquest, the preliminary hearing and the case of the state vs. Mrs. Leonard. He gave no new facts.

Austin Adams is another witness who has been on the stand during all previous trials and his evidence was the same except that on this occasion he testified that Williamson cut his finger on one occasion and that it bled profusely. The object of this evidence will be seen more plainly in the testimony of Williamson.

Both witnesses were recalled and they identified the coat, vest and trousers of Adams, the ones that the coroner was found on. McCollister, the ex-corporator, also identified the garments and all proved to their safe keeping from the time they came into their possession up till the time they were sent to the state university for an examination of the stains or blood spots.

Wells Miller, the North Main street druggist, whose home is south and across the street from the house the murder was committed in, was the next witness. He said that he was going home from the concert at the corner of Lawrence avenue and Waterman street about 10:15 or 10:20 p. m. As he got to the northwest of the streets mentioned he saw a man come

from the alley where it opened from the south, between Lawrence avenue and Market street into Waterman street. He said there was no sidewalk on that side of Waterman street and that the man was walking rapidly along the fence towards Lawrence avenue from the alley. He (Miller) reached the southwest corner of Lawrence and Waterman before the man reached the sidewalk and the man followed behind him about a rod. He thought the man was comparatively heavy from his footsteps and that he was excited. He judged from his heat that he was running. They both maintained the same distance apart until the corner where the murder was committed was reached. Mr. Miller crossed over to his own home to the east of the corner, the corner, walk west on the north side of Lewis street to the stable where human blood was found and then disappeared in the alley. On recross examination he did not know whether the man light on the corner of Lawrence avenue and Lewis was the man that night or not.

The next witness was Charlie Ferguson, a lithographer working in the Eagle office. He was out that night visiting with friends and about 10 or 10:15 o'clock he passed the alley where the body of Leonard was found, 125 feet north. As he did so he saw a man walk north on the north side of cross Waterman street to the opening of the alley at the opposite side, then east as described by Mr. Miller to Lawrence avenue. In answer to questions Mr. Ferguson said he saw Williamson about two years ago, saw him again last Sunday and that the man he saw coming out of the alley on the night in question was built like him. The man, he said, wore a black slouch hat and a dark overcoat.

On cross examination Mr. Ferguson said that he would not swear or assert as a fact that Williamson was the man he saw that night coming out of the alley.

Williamson is a fairly heavy man and as he gets a pension for heart disease his heavy breathing, as described by Wells Miller, is quite a circumstance. It is especially so when he is asked to tell the jury that the black slouch hat and the absence of an overcoat.

WILLISTON'S TESTIMONY.

The great event of the day for the state was the testimony of Samuel Williston, professor of anatomy and physiology in the state university at Lawrence, who had made a micro-chemical examination of the blood stains found on the coat and vest of Williamson that were taken from his engine room at the Manhattan hotel the day after the murder.

It will be remembered by readers of the Eagle that when the coat and vest in question were found, that in explanation of the red spots on them Williston claimed they were made from red paint used by him in fitting steam pipes. The claim he made was very plausible, but Mr. Davis, the county attorney, thought it best to have a scientific examination made and the eminent Professor Williston.

Upon being put on the stand for the state he said that he had his present position in the state university for six years. Previous to that he had a similar position in Yale university for five years. He is a remarkably intelligent gentleman and while he was giving his evidence the most intense interest was manifested by the court, attorneys, jurors and spectators. Apart from the hearing it had in the case his evidence was very valuable as a lecture on blood in general and a lecture on the difference between the blood of man and the blood of animals, including man. He said it was easy to tell the difference between the blood of a dog and the blood of a rabbit. He could not readily tell the blood of a hog.

Being shown the coat he said he recognized it, told how he made an examination of the blood spots, that he found them to be blood, that he kept the garments under lock and key while in the university, that he sealed the package with his own seal when he sent it to the state university and that he found them, minus the blood which he required for the examinations. In dealing the location of each spot on the clothing he used notes that he made at the time of the analysis.

Mr. Helm objected to the professor reading notes but the court overruled him.

Professor Williston handled the matter with great skill and clearness. Mr. Helm cross-examined Professor Williston for over an hour and the more he did so the more valuable his expert testimony became. Mr. Helm's examination only served to enable Professor Williston to demonstrate, admirably, that he was a competent expert witness for he answered every question from such a convincing scientific standpoint as to prove everything to the jury beyond all reasonable doubt. He said he found various spots on the coat and one spot on the vest. The latter he entirely consumed in making the analysis. He then went into the microscopic examination of the blood and the corpuscles which proved it to be the blood of man. He then took a drop of blood from his own finger and made comparisons which he found to be absolutely the same. The blood on the coat and vest was dry. The first thing he did was to put peroxide of hydrogen on it. If it would bubble up that was the test that it was animal matter. This done he gave it the salt water test, and then applied acetic acid and brought out the dark brown halmen crystal peculiar to blood. Fresh blood does not require this test. Then the corpuscles became visible under his powerful lenses and he measured them with the corpuscles taken from his own blood as stated. He said that these corpuscles were found in all animals that he had examined and that he was the only known exception. He said there was different kind of blood in mammals, birds, fish and reptiles. He then went into a scientific explanation of the different kinds of blood and Mr. Helm was satisfied to sit and listen until he came to a pause. Mr. Helm would then ask him some other questions to be tried through an amazing lot of scientific terms which Mr. Williston reduced down to very plain, comprehensible matter in the end. Professor Williston said that the state university had the very finest instruments used in this science, and that his examination of the blood stains on Mr. Williamson's coat and vest absorbed about twenty hours of his time. He examined each spot repeatedly and thoroughly and considering the circumstances he desired to be very exact and to use every known test for the purpose of arriving at the truth. The great points in his testimony were that the stains were blood and blood that corresponded exactly with the blood taken from his own fingers. He left no doubt in anybody's mind of that fact.

When asked how long, in his opinion, the blood was on the coat when he found it, he said he could not venture a safe opinion as to that.

When pressed by Mr. Helm to estimate it he refused to do so, saying there was no means of telling. Mr. Helm presented him a sample of the red paint Williamson was supposed to have used in fixing the pipes (Continued on Third Page.)

## THEY MAKE OATH

WITNESSES ARE CALLED IN THE CONE BRIEBY CASE.

Three Witnesses are Called and Sworn—Alonso Miller Swears That Cone Gave Him \$20 to Buy Votes, With That He Kept It and Never Voted for Cone—S. D. Cook Says He Borrowed Fifty Cents From Cone and Was Promised \$10 to Make an Affidavit of the Fact—Allen Testifies That He was Present.

Yesterday afternoon in Justice Jones' court the depositions in the Cone case were continued and the testimony of all the witnesses taken.

Present at half past one Judge Wall and C. H. Brooks were seated in the court room awaiting the arrival of Colonel J. R. Halliwell and the witnesses. In a few minutes they came in followed by interesting spectators. Sheriff Cone sat beside Judge Wall and Mr. Brooks, his attorneys, and was apparently an unconcerned party until the first witness was called, when his interest became more apparent.

Colonel Halliwell, representing the attorney general, called Alonso Miller, a large, dark colored negro, to the stand and began examining him. In answer to the question of his age he replied that he did not know exactly how old he was, he thought about 45; that he has been acquainted for Cone a number of years, and that he knew Cone was a candidate for sheriff; that Cone had made an appointment with him to be at Schmitz's the day before election, and that when he went in with him into an inner room, Cone handed him twenty dollars in silver and the other was a bill. He took the money and left without saying a word.

On cross examination it was brought out that Cone never told him to buy any particular votes, but just handed him twenty dollars for the Fourth ward. Miller, continuing, said: "I took it on myself and I never voted for Cone. He never asked me to vote for him, and I thought if I was the man to give away money I was the man to take it in answer to a question he said that he had never told Charley Phillips the morning of the election that he would vote for Cone for five dollars. He said that the money would do it for two dollars and a half. This closed his testimony.

Charley Shultz, the next witness for the state, said that Cone told him that he had paid Miller five dollars on an old account and that after election Miller had made an affidavit that he had given the money to buy votes. He also said that Cone had asked him to use his influence with Miller to destroy the affidavit, and that Cone never talked with him about it.

The most interesting testimony of the day was given by S. D. Cook, which is given below verbatim:

By J. R. Halliwell.

Q—State your name, Mr. Cook.

A—S. D. Cook.

Q—Where do you live?

A—I live in Wichita.

Q—How long have you lived here?

A—I came here in the month of June about six or seven years ago.

Q—What is your business?

A—I have a little shoe shop down on the street.

Q—Do you know Mr. Cone?

A—Rufe Cone?

A—Yes, sir.

Q—This gentleman sitting here?

A—That gentleman over there; I know Rufe.

Q—How long have you known him?

A—I have known him a year or so, but I know he was constant and run for sheriff and I voted for him and stood by the side of him.

Q—Was he a candidate in 1925 for sheriff do you know?

A—Yes, sir.

Q—Prior to the election in 1925, this last fall, did Mr. Cone give you or offer you anything of value pertaining to his election?

(Defendant's object as incompetent, irrelevant and immaterial answered yes or no.)

A—Well, I will answer it yes. Well, I will say this, Brother Cone came along there and he told me to give me or handed me a half a dollar as an affidavit will show. That is the truth about that; and of course I did not go to him for any favor or he to me because he knows that I am no Democrat or Populist, but that there was a friendly feeling existing between us for so long, and it wasn't but a half a dollar anyway; he either lent or gave it to me.

Q—He either lent or gave it to you?

A—Call it what you will; I said I would pay it to him; I told him I would pay it.

Q—Did you take it at that time with the intention of returning it?

A—Yes, sir. I don't take any money from no man without I pay it.

Q—Of course not; you have had some conversation with him about it?

A—I think so.

Q—Who was present when you had the conversation?

A—A man by the name of Allen was present.

Q—Where was he?

A—In that little shop.

Q—That is all.

CROSS EXAMINATION.

By Judge Wall.

Q—Mr. Cook, was it Mr. Perry Allen?

A—Yes, sir.

Q—Who lived in the country?

A—Yes, somewhere west.

Q—He lives at a little town called Colwich.

A—No, he lives here somewhere in Wichita.

Q—Was he a colored man?

A—Yes, sir.

Q—He is a colored man?

A—Yes, a little bit dark, yes, sir.

Q—Was he present when you and Mr. Cone had the talk?

A—Yes, sir, he was out on the walk.

Q—Your place of business was on the west side of Main street?

A—Yes, sir.

Q—Mr. Cone was going along on the east side of the street and was called over by one of you?

A—I can't remember so much of that; I have a dim notion of him as big as that (indicating the ball of his thumb) and I cannot call my mind to that.

Q—Don't you think it probable, Mr. Cook, that you or Allen handed Cone and he came over to where you was?

A—I think it might be possible.

Q—Did you think that Mr. Cone then asked you about this affidavit that you made?

A—An affidavit, yes, sir; as near as I can remember I did.

Q—Didn't Mr. Cone say he had simply loaned you a small amount and that you looked like an honest man?

A—I intend to pay it back and I will if I ever get 25 cents.

Q—He could not or did not try to buy your vote, did he?

A—Well, I don't think so; there was nothing said about votes.

Q—There wasn't anything said about votes or anything else, but he gave you a half a dollar?

A—I handed it to me and I took it.

Q—Do you remember the exact circumstances?

A—I do not call my mind to that; I am not able to.

Q—You either wanted fifty cents to get something to eat or drink?

A—I must have told him that.

Q—And you told him you wanted to borrow fifty cents?

A—Yes, sir, I told him I wanted to get fifty cents; Rufe handed me it; he just handed it.

## COMES VERY HIGH

BUT WICHITA MUSICIANS WANT TO HEAR PADEREWSKI.

Correspondence has passed between the Manager of the Celebrated Pianist and Wichita Parties and a date is promised in the Spring for \$2,500 for One Recital—The Proposition is in the Hands of a Committee Who Believe They Can Secure the Guarantee—Wichita Would Draw Spectators for Many Miles.

An effort is being made to secure Paderewski, the greatest pianist in the world, to give a recital in Wichita during the spring months.

The matter is now in the hands of Mesdames Hays and Bentley and Miss Clark, who are being assisted by a number of gentlemen of the Commercial club.

Mrs. D. Hays addressed a letter of inquiry to Mr. Louis Blumenberg, the agent at New York City, as to terms and the possibility of securing the celebrated pianist for this city, and in return received the following:

"New York, Sept. 1935. Dear Madam: Replying to your esteemed inquiry of the 13th, Paderewski will be available in the spring in Kansas City and vicinity. Terms are \$2,500 for one recital. If you would like to make arrangements for his appearance kindly advise me. Your earnest convenience. Yours very truly, LOUIS BLUMENBERG.

The price appears at first glance to be a high one. And would necessarily place the price of admission at not less than \$2; but when the name Paderewski is mentioned it sends a thrill and a desire to be able to hear and witness the greatest pianist in the world that is calculated to overcome the greatest obstacles.

Doubtless he would draw persons to Wichita within a radius of 100 miles each way and by this means not prove a great burden to the citizens of Wichita after all.

It is said that several gentlemen in the city are willing to undertake the guarantee at \$2,500 if a more reasonable rate cannot be had.

It is said that the man carries his audience in the land of music and during his recitals all cares are forgotten, and they become enraptured by his strange and melodious music. The price is high but it is believed by the enthusiastic that the guarantee can be secured.

Q—And you went on your way rejoicing.

A—Yes, sir.

Q—And you got a drink?

A—If I wanted it.

Q—You and Cone are good friends?

A—Yes, sir; I stood by him when he did not have a dollar on earth, nor I either.

Q—As a matter of fact, Mr. Cook, you have been helping Cone and Cone has been helping you.

A—Yes, sir.

Q—Kind of a stand off?

A—That is what we done.

Q—Well, he never tried to buy your vote in his life?

A—No, he knew he could not do it because he didn't belong to our people; I might have been born over there but he didn't.

Q—He never tried to buy any vote?

A—No, sir, he never tried to.

Q—Don't you remember the fact that Mr. Cone has frequently let you have small sums of money in the last five or six years?

A—I don't know who it was. Mr. Cone often let you have money when you would be out and wanted it.

A—It has been so small I don't remember.

Q—Did you ever ask Rufe Cone for anything he did not give you?

A—No, sir. It didn't make any difference whether I was begging or stealing.

Q—Well somebody drove you up here one day to make an affidavit about it; do you know who was in the office?

A—I don't know who it was. It was just, correct and right.

Q—Well today you have endeavored to tell the truth about it just as you recollect it.

A—Just as near as I can remember.

Q—Of course I don't remember all about it because I don't remember.

Q—Who brought you here to make the affidavit, Charley Horner?

A—Yes.

Q—He didn't give you anything or anybody else?

A—No, they didn't give me anything.

Q—Or did they promise to give you anything?

A—Well, I told you I can't remember if a man tells me one thing in one half an hour, and I am filled with opium before I can hardly sit here and I have to take it every night to sleep.

Q—But can't you remember how much Horner promised to give you?

A—\$5.00.

Q—I can't remember.

Q—Was it as much as \$5.00 that he agreed to pay you?

A—I wasn't coming here to harm him if I could get a dollar or so.

Q—Well, how much did Horner say he would pay you?

A—I can't remember.

Q—What was the reason as you said; I don't expect you to be exact.

A—Well, of course I can't call my mind to that; I don't remember about that; I will tell the truth if I know it.

Q—Did you go to get a drink before or after you made the affidavit with Horner?

A—I don't think we got any drink at all.

Q—Don't you remember where you went with Horner or anybody to get a drink?

A—No, I don't. I didn't go before. I came right along up with him.

Q—You don't know whether you went afterwards or not?

A—I don't think I did afterwards. I haven't come here to get a drink before or after you made the affidavit with Horner.

Q—Did Mr. Allen promise you anything besides money?

A—Well, he said he would give me a job.

Q—What did he promise you?

A—Of course money is what talks.

Q—How much did you tell him it would take to get a job?

A—There is a man that comes greater than me that will tell you that.

Q—Who is he?

A—Mr. Allen.

Q—Did Mr. Allen promise you anything?

A—No.

Q—No, Allen did not promise me.

Q—Did he tell you that Allen would promise?

A—Yes.

Q—Just tell what it was.

A—He knows all about it.

Q—But you just tell us. We would rather have your testimony than Allen's.

A—Whatever I say belongs to truth and unity. I belong to God's creation and humanity.

Q—That is the reason that we would rather take you than Allen; tell that Horner said; you just tell us what Allen said Horner would give you.

A—Well, all right. He said he would give us ten dollars.

Q—That is, ten dollars for you and ten dollars for Allen?

A—That is ten dollars each.

Q—Allen was to help get this affidavit?

A—Yes, but he failed to pay this.

Q—Hasn't he paid this?